

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

MARCUS MAYHEW CURRY,)
Petitioner,)
v.) 1:16CV516
UNITED STATES OF AMERICA,) 1:05CR282-1
Respondent.)

ORDER

On June 23, 2017, the United States Magistrate Judge's Recommendation was filed and notice was served on Petitioner pursuant to 28 U.S.C. § 636. Petitioner filed objections (Doc. 114) to the Recommendation within the time limit prescribed by Section 636.

The court has reviewed Petitioner's objections *de novo* and finds they do not change the substance of the United States Magistrate Judge's Recommendation (Doc. 112), which is affirmed and adopted.

IT IS THEREFORE ORDERED that Respondent's Motion to Dismiss (Doc. 108) is GRANTED, that Petitioner's Motion to vacate, set aside or correct sentence (Doc. 100) is DENIED, and this action is DISMISSED, and that, finding neither a substantial issue for appeal concerning the denial of a constitutional right affecting the conviction nor a debatable procedural ruling, a certificate of appealability is DENIED.

/s/ Thomas D. Schroeder
United States District Judge

September 18, 2017